

JFW



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Dated: January 13, 2006 Signature: [Signature]
(Raymond Garguilo, Jr.)

Docket No.: POF 3.9-057 CONT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Nui Wang

Application No.: 10/776,539 Group Art Unit: 3683
Filed: February 9, 2004 Examiner: B. T. King
For: DISC BRAKE CALIPER

RESPONSE TO REQUIREMENT FOR ELECTION OF SPECIES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to the Official Action mailed December 14, 2005, requiring election of species as between Species I (FIG. 1) and Species II (FIG. 2). Applicant hereby elects Group I, namely claims 1-6 and 8-13 for prosecution in this application.

In the Official Action, the Examiner has deemed that claims 1-2 appear to be generic. Additionally, Applicants assert that claims 8-13 are also generic as both claims 8-13 include subject matter which is readable on Species 1, FIG. 1 and Species 2, FIG. 2. Thus, Applicants hereby traverse the Examiner's election of species in that claims 8-13 should also be deemed generic as opposed to just claims 1 and 2.

As it is believed that all of the requirements set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

Application No.: 10/776,539

Docket No.: POF 3.9-057 CONT

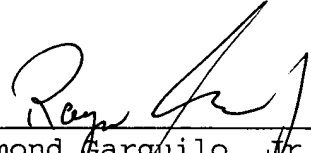
If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

In the event any fee is due in connection with the present response, the Examiner is authorized to charge Applicant's Deposit Account No. 12-1095 therefor.

Dated: January 13, 2006

Respectfully submitted,

By



Raymond Garguilo, Jr.

Registration No.: 50,930

LERNER, DAVID, LITTENBERG,

KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicant

623373_1.DOC